

CAMDEN PLANNING BOARD
MINUTES OF MEETING
November 15, 2012

PRESENT: Chair Chris MacLean; Members Richard Householder, Jan MacKinnon and Lowrie Sargent; Alternate Member Sid Lindsley; Don White, Select Board Liaison to the Planning Board; and CEO Steve Wilson

ABSENT: Member Kerry Sabanty

The meeting of the Planning Board of November 15, 2012, was convened at 5:00 pm.

1. PUBLIC INPUT ON NON-AGENDA ITEMS:

Don White, Chairman of the Gateway Advisory Committee, urged the Board (when they sit as the Comprehensive Plan Committee), to consider some of the changes that had been proposed to the Comprehensive Plan to meet Gateway One Action Items as worthy of inclusion in this re-write of the Plan. Even though there are no longer funding incentives to do so, implementing some of these changes may still make good sense in the context of carrying out some of the Plan's Goals. He left two draft documents dated July 9, 2010: *Gateway 1 Basic and Intermediate Actions* and *Proposed Comprehensive Plan Amendments*.

2. MINUTES

October 25, 2012:

Page 1 Line 10: The date of the meeting was October 25, 2012.

Page 1 Line 11: The Acting Chair convened the meeting.

Page 2 beginning at Line 15: In order to clarify the changes proposed to easements, the language in this section now reads: "The lot is adjacent to, but not within the subdivision; however, there is an easement for access and utilities that needs to be altered as a condition of the pending sale. The approved 20'-wide easement will be reduced to 10'-wide, and will be an easement for utilities only; the access portion of the easement will be extinguished."

Page 3 Line 22: The sentence ending this paragraph now reads: "The Board wants to hear from the merchants involved what they would like the sign to look like, and then see the changes proposed by sign-maker Joe Ryan before they vote. They voted 4-0 to Table voting on the Motion until they see the modified design."

MOTION by Mr. MacLean seconded by Mr. Householder that the Planning Board Minutes of October 25, 2012, be approved with changes.

VOTE: 4-0-1 with Mr. MacLean abstaining due to his absence

November 1, 2012:

Page 1 Line 1: Chris MacLean sat as Chair and Lowrie Sargent as Vice Chair and member

Page 1 Line 31: The term "way-finding" is hyphenated

Page 2 Line 43: The word "polluting" was changed to the word "bright"

MOTION by Mr. MacLean seconded by Mr. Sargent to approve the Planning Board Minutes of November 1, 2012, as amended.

VOTE: 5-0-0

3. SUBDIVISION AMENDMENT

Beardsall & Czak Subdivision: Map 232 Lots 4 & 5: Coastal Residential District (CR)
Jonathan and Bonnie Dietze: 162 and 164 Chestnut Street

Mark Ingraham of Landmark Associates represented the owners, Jonathan and Bonnie Dietz, who were also present. The Dietze, owners of Lots 4 & 5 within the subdivision, want to relocate a right-of-way that cuts through the middle of Lot 4, and serves Lot 5, to the northern boundary line of Lot 4. The original subdivision was last amended in 1982 and it is that amended Plan that is before the Board this evening. That Plan shows the current location of the ROW, as well as the site of the proposed relocation. The owners simply want to move the ROW further away from the house.

The Board turned to Article XII, Section 2 Amendment, of the Subdivision Ordinance. The CEO was asked to confirm that the required notices had been sent and that proof of the mailing was in the file; he did. The CEO was asked if he had received any comments from abutters: he had received one comment and it was supportive of the Applicants' request.

In order to review this request as a Subdivision Amendment the Board had to first find that the change would not alter the character of the subdivision. They did so after confirming that there is no setback from a property line required for a driveway.

MOTION by Mr. MacLean seconded by Mr. Sargent that the Board treat the Application as an amendment that does not alter the character of the subdivision.

VOTE: 5-0-0

MOTION by Mr. Householder seconded by Ms. MacKinnon to approve the Application submitted by Jonathan and Bonnie Dietze as set forth on the Subdivision Plan prepared by Landmark Associated dated November 6, 2012.

VOTE: 5-0-0

The Board signed the Plan.

4. SITE PLAN REVIEW: Pre-Application Meeting

Thomas Hedstrom/Hedstrom Electric: Map 113 Lot 83: River Business District (BR)
24 Mt. Battie Street

Mr. Hedstrom represented himself before the Board presenting his proposal for a new 32' x 64' building on the site of a former single family residence (mobile home). His 1.1 acre property has frontage on the Megunticook River. On the lot is the slab where a trailer was located and a one-car garage. Mr. Hedstrom proposes to remove both and build a new 2-story building with his electrical business and a garage at ground level, and a single family residence above. The BR District requires commercial at street level, but does not allow single or two-family residential uses above – only multi-family. The Code Officer's first reaction to this proposal is that replacing a single-family home with another on the same lot would be permitted as long as there was commercial below – the single-family residential use is a grandfathered non-conforming use. Even if the trailer had been taken away, the owner has two years to replace that

home with another as long as the Ordinance requirements are met. All members of the Board except Mr. Sargent agreed with Mr. Wilson's assessment; Mr. Lindsley believes that it is more important that the street level be commercial than it is what kind of residential use is there - the mixed use proposal is in keeping with what the Town intended here.

Mr. Sargent believes that the use might be grandfathered in a District where single-family residences were permitted – they are not permitted in this District - Article VIII Section 13 B. 3 - and he questions whether or not the Board has the ability to approve the request for a use that is specifically prohibited. It was agreed that a Tradesman's Shop, the classification for Mr. Hedstrom's business, is permitted.

Reviewing the Ordinance section regarding replacement of non-conforming structures and uses (Article VI) did not satisfy Mr. Sargent's concerns, and although he supports what Mr. Hedstrom is trying to do, it is not clear to him that it is permissible; the Ordinance needs the Town Attorney's interpretation.

→ Mr. Wilson will ask Town Attorney Kelly for his opinion on whether or not a replacement non-conforming single-family residence is permitted in this case.

The Board agreed to go through the Preliminary Plan submission requirements to make sure that there is no further delay caused by missing or incomplete submissions.

Site Plan Content

→ Mr. Hedstrom had submitted a multi-page application packet(dated 10/17/2012) containing several submissions; Mr. Sargent asked him to number each page for easier reference.

Owner's name and address

Provided on Application

(b) Names and addresses of all abutting property owners

Provided in Packet at Page 2

(c) Sketch map showing general location of the site within the Town

Provided in Packet as Tax Map 113

(d) Boundaries of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time.

Mr. Hendstrom owns only one lot, but has no survey. He is bounded on two sides by one owner – Bill Eaton who owns the trailer park next door, one side by the river, and one side by the Town street; he hopes not to have to have his lot surveyed.

→ Mr. Sargent recommended that Mr. Hedstrom obtain the bearing and distances for his lines from his deed and add them to the Plan.

(e) Zoning classification(s) of the property lines of the property to be developed and the source of this information.

Provided on Application and on Tax Map

(f) *The bearing and distances of all property lines of the property to be developed and the source of this information. The Board may require a formal boundary survey when sufficient information is not available to establish on the ground, all property boundaries.*

See “(d) above – Members agreed they would not require a formal boundary survey

(g) *The location of all building setbacks required by this Ordinance.*

→ Building setbacks need to be added to the Site Plan

(h) *The location, dimensions, front view, and ground floor elevations of all existing and proposed buildings in the site*

→ Dimensions of the proposed building need to be added to the drawings – the scale is there but no numbers

(i) *The location and dimensions of driveways, parking and loading areas, and walkways.*

→ Dimensions of the driveway and parking area need to be added to the drawings

(j) *Location of intersecting roads or driveways within 200 feet of the site.*

Provided on Town GIS Tax Map

(k) *The location and dimensions of all provisions for water supply and wastewater disposal*

→ The proposed septic tank location will be removed from the Plan – it is not required at this point in the project.

→ The location of the existing waterline is available from the Town and needs to be added to the Plan.

(l) *the location of open drainage courses, wetlands, stands of trees, and other important natural features, with a description of such features to be retained and of any new landscaping planned.*

The Board agreed that since there are no changes being made to the site itself, there is no need to show these features; no new landscaping is planned.

(m) *Location and dimensions of any existing easements and copies of existing covenants or deed restrictions.*

→ There is a CMP easement noted within Mr. Hedstrom’s Deed; that easement, dated September 6, 1974, needs to be provided.

(n) *Location, front view, and dimensions of existing and proposed signs.*

→ The exact location of the proposed sign needs to be shown on the Plan; dimension need to be added to the drawing provided in the packet.

(o) *Location and type of exterior lighting.*

→ The location of exterior lamps needs to be shown on the Plan, including any that may be proposed for the sign. Cut sheets for any proposed exterior lighting needs to be provided as well.

(p) *Copies of applicable State and Federal approvals and permits, provided, however, that the Board may approve site plans subject to the issuance of specified State approvals and permits where it determines that it is not feasible for the applicant to obtain them at the time of site plan review.*

The project will require a Fire Marshall's permit because it is commercial with a second floor. However, the Board is not required to have that permit submitted before approval; the CEO will need it in hand before issuing any building permit.

There was discussion as to how much MUBEC will play a role in this proposal; Mr. Hedstrom may be required to provide sealed engineered plans before he can obtain a building permit because of the commercial use involved.

(q) A signature block on the site plan, including space to record a reference to the order by which the plan is approved.

→ A signature block must be added.

Section 4. Supplemental Information

None of the Supplemental Information will be required.

No waivers are being requested.

The Application will be reviewed at the December 6 meeting of the Board. If Bill Kelly says that the proposal conforms to the Ordinance, the CEO will advertise a Public Hearing and Site Walk for December 20, 2012.

5. DISCUSSION:

1. *Minor field adjustments:* There were none

2. *Future Agenda items:*

Mr. Hedstrom will return on 12/06 and possible 12/20

3. *Pending Applications:* There has been a request to abandon a subdivision. A house was turned into condos and is now a single family home again; the owners want to change the status back to single family.

4. *Other:* The CEO has noticed that there are new signs up since the Sign Ordinance amendments passed, but they are up without permits. He is going to take a walk around Town and speak with shop owners to let them know they have to have official permission.

There being no further business before the Planning Board they adjourned at 6:25 pm.

Respectfully submitted,

Jeanne Hollingsworth, Recording Secretary